

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, ) Case No. 8:09CR457

)

Plaintiff, )

)

vs. ) **AFFIDAVIT OF SHANNON  
WILLIAMS**

SHANNON WILLIAMS, et al, )

)

Defendant. )

*Iowa*  
STATE OF NEBRASKA M.J.S.)  
*Pottawattamie* Is.  
COUNTY OF DOUGLAS )

For his Affidavit, Shannon Williams, being first duly sworn, states  
as follows:

1. I am a defendant in the above-encaptioned case. My age is  
43 years. I have personal knowledge of the matters set forth herein.

2. I make and tender this Affidavit pursuant to 28 U.S.C. §144.

I do so in good faith.

3. I seek immediate re-assignment of my case for further  
disposition to a visiting federal district judge who is otherwise  
unaffiliated with the United States District Court for the District of  
Nebraska.

4. I am convinced the Honorable Lyle E. Strom, the senior district judge presiding in my case, has a personal bias or prejudice against me.

5. On February 12, 2011, the Omaha World Herald, the most circulated daily newspaper in Nebraska, published a story concerning the sentencing proceeding of one of my co-defendants in this matter, Vicki Cass. Ms. Cass' lawyer had filed a motion (Filing 591) to withdraw her previously entered guilty plea on December 10, 2010, but withdrew that motion on January 11, 2011 (Filing 649). On February 8, 2011, Ms. Cass, purporting to proceed *pro se*, filed a motion (Filing 670) for the appointment of new counsel and to withdraw her guilty plea. She appeared for the hearing on that motion and for sentencing February 11, 2011, before Judge Strom.

6. While I was not there, I understand from the World Herald Judge Strom denied Ms. Cass' motion for appointment of new counsel and to withdraw her guilty plea and proceeded to sentence her to 24 months imprisonment and three years of supervised release.

7. In so doing, Judge Strom was quoted by the World Herald as informing Ms. Cass that "maybe Shannon Williams is impressing on you the need to do something" to withdraw her guilty plea and that

"[t]hese motions (to withdraw the plea) may be in your handwriting, but I'm convinced Mr. Williams is the author of those." A copy of the article is attached hereto as Exhibit "A."

8. Judge Strom also departed downward from the apparently applicable Guideline range in Ms. Cass' case, according to the article in part due to Judge Strom's position that I was more or less responsible for her indictment and that I had "used" her.

9. Because no evidence was before Judge Strom to substantiate either (1) that I authored Ms. Cass' motion (the author was Billy Roy Tyler, as I understand it) or (2) that I improperly influenced Ms. Cass in any way, I conclude Judge Strom has a personal bias or prejudice against me and should proceed no further in my case.

10. Appointment of another district judge from the District of Nebraska to preside is inappropriate because I have been or am being investigated by the Federal Bureau of Investigation for having an improper relationship with the chief judge in said district. I do not and never have had an improper relationship with the chief judge, or any relationship at all with him except unless appearing before him in connection with criminal matter pending against me counts as one.

However, an FBI investigation concerning this nonsense has unquestionably occurred, and I of course am unaware whether it is ongoing or closed.

11. Because the chief judge maintains a supervisory role in the assignment of cases to other district judges in the district, I perceive the appearance of a conflict should another judge from the District of Nebraska be assigned to my case. In addition, the bias against me I perceive from Judge Strom, the fact of the FBI investigation relating to me and the chief judge and the fact that I allege the government engaged in outrageous misconduct in its investigation of me operate together to cause me to believe justice would be better in my unusual, extraordinary case served if a visiting judge were to be appointed.

12. I must also note I did not create the circumstances which have caused me to conclude a visiting judge should be appointed. I did not author Ms. Cass' motion. I did not launch the ridiculous FBI investigation concerning the chief judge. And it was the government, not me, who provided the factual basis for my claims of outrageous misconduct. I simply want my claims judged fairly, free from doubt of improper influence or appearance of conflicted loyalties.

(2)(B) I want to subpoena Chief Judge Bataillon to refute the  
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false allegations of conspiring to pay the Chief Judge for favors. S.W.  
m.j.t.

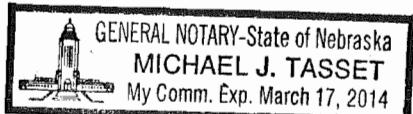
13. My case should be reassigned by an unbiased judge to an unbiased judge. Because the chief judge cannot complete the reassignment for the reasons stated herein and because Judge Strom should not make the assignment, I believe the Eighth Circuit Court of Appeals should make the assignment.

FURTHER AFFIANT SAYETH NOT.

Shannon Williams

Shannon Williams, Defendant

Subscribed and sworn to before me this 15 day of February, <sup>March</sup> M.J.T.  
2011.





Notary Public

CERTIFICATE

I, Michael J. Tasset, counsel of record for Shannon Williams and pursuant to 28 U.S.C. §144, hereby certify Williams' Affidavit is made and tendered by him in good faith.

  
Michael J. Tasset